

consumptive and nonconsumptive uses of water, encouraging conservation, protecting ecological integrity, and enhancing the productivity of water-related activities.

This is from section 1R-1-01 of the Regulated Riparian Model Code as conformed to goal 1.4. It is a restatement of existing law in North Carolina, starting with Article XIV, Section 5, of the North Carolina Constitution, which provides:

It shall be the policy of this State to conserve and protect its lands and waters for the benefit of all its citizenry, and to this end it shall be a proper function of the State of North Carolina and its political subdivisions to acquire and preserve park, recreational, and scenic areas, to control and limit the pollution of our air and water, to control excessive noise, and in every other appropriate way to preserve as a part of the common heritage of this State its forests, wetlands, estuaries, beaches, historical sites, open lands, and places of beauty.

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### **1.2 Administrative and judicial decisions about water should ensure efficient and productive use of water and water conservation.**

Pursuant to this [Act], the State undertakes, by permits and other steps authorized by law, to allocate the waters of the State among users in a manner that fosters efficient and productive use of the total water supply of the State in a sustainable manner in the satisfaction of economic, environmental, and other social goals, whether public or private, with the availability and utility of water being extended with a view to preventing water from becoming a limiting factor in the general improvement of social welfare.

This is (other than one grammatical change) from section 1R-1-02 of the Regulated Riparian Model Code.

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### **1.3 Legal security for water rights and property rights and procedural protections for water rights.**

In order to provide legal security for water rights within the constraints provided in this [Act], this [Act] establishes a system of permits that make a water right a matter of legal record entitled to legal protection. The State shall provide procedural protection and fairness to parties to disputes over water rights through public proceedings on the allocation or modification of water rights, making available and encouraging formal and informal procedures for dispute resolution, and encouraging alternative dispute resolution mechanisms.

This is a combination of Regulated Riparian Model Code sections 1R-1-06 and 1R-1-08.

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### **1.4 Protection of instream flows and groundwater levels.**

The state shall Preserve flow regimes and groundwater levels in all water sources as necessary to protect their physical, chemical and ecological integrity by reserving the appropriate portion of surface waters from allocation; By seeking a long-term balance between the amount of groundwater withdrawn from each aquifer or growth area and the amount of water recharged to the aquifer or growth area; and by authorizing additional protections of the waters of the State.

This is an updated and extended combination of Regulated Riparian Model Code section 1R-1-11 and Arizona's Groundwater Act of 1980. The Water Allocation Study team recommends that a working group be established to define more precisely how this goal would be implemented in the proposed permitting and planning programs.